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Attorney for Plaintiff
STANDARD INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STANDARD INSURANCE
COMPANY, an Oregon Corporation,

Plaintiff,

vs.

VICTORIA P. GILLILAND, as Trustee
of The Gilliland Revocable Trust and as
an Individual; DAVID GILLILAND;
JEFFREY GILLILAND; MATTHEW
GILLILAND; and, LISA GILLILAND,

Defendants.

) Case No.: 3:18-cv-04929-RS

) **STIPULATION AND ORDER**
) **NOTIFYING COURT OF**
) **SETTLEMENT AND VACATING**
) **CURRENT CASE MANAGEMENT**
) **AND ADR DATES**

The parties to this action are Interpleader Plaintiff STANDARD
INSURANCE COMPANY (“Standard”) and Interpleader Defendants, VICTORIA
P. GILLILAND, as an individual and as a Trustee of The Gilliland Revocable
Trust, along with four individual Defendants DAVID GILLILAND, JEFFREY
GILLILAND, MATTHEW GILLILAND, and LISA GILLILAND (collectively all
named Defendants in this action are referred to as the “Interpleader Defendants”).

STIP & ORDER NOTIFYING SETTLEMENT AND VACATING CASE MGMT & ADR

1 **I. STIPULATION**

2 Standard and the Interpleader Defendants (collectively the “Parties”)
3 **STIPULATE** as follows.

4 1. Following extensive negotiations that have occurred across many months
5 and are estimated to have consumed well over 100 hours of time of counsel both
6 prior to and following the filing of this action, counsel for the Parties respectfully
7 report this matter has settled. A final, confidential release document (the
8 “Confidential Release”) was agreed to and finalized late last week and is now
9 being circulated to be signed by all Parties and certain individuals not named as
10 parties. Among those signing the Confidential Release are several signers located
11 outside the State of California. Upon execution by all signers of the Confidential
12 Release, the Parties have agreed promptly to submit for the Court’s approval and
13 execution a “Stipulation and Order for Deposit of Funds, Payment of Deposited
14 Funds and Discharge of Standard Insurance Company,” the terms of which the
15 Parties have presently agreed upon and which, if approved by the Court, will
16 dispose of this entire action.

17 2. The Parties do not currently anticipate any impediment to completing
18 settlement of this matter.

19 3. The Parties respectfully submit that, in the circumstances, the resources of
20 the Parties and, more importantly, the Court would best be utilized by allowing the
21 Parties, as specified and on the terms of the Order that follows, a brief period of
22 time to consummate the settlement and to vacate all currently set Case
23 Management and ADR dates, pending consummation of the settlement and
24 presentation of the “Stipulation and Order for Deposit of Funds, Payment of
25 Deposited Funds and Discharge of Standard Insurance Company.”

26 **SIGNATURE ATTESTATION:**

27 I, Warren H. Nelson, Jr., counsel to Standard Insurance Company, hereby
28 attest under penalty of perjury that I have in my possession the signatures in PDF

1 of Andrew R. Verriere, Esq., counsel to Victoria P. Gilliland individually and as
2 Trustee of The Gilliland Revocable Trust, and Guy D. Calladine, Esq., counsel to
3 David Gilliland, Jeffrey Gilliland, Matthew Gilliland, and Lisa Gilliland, each
4 stipulating as noted above.

5 SO STIPULATED and ATTESTED:

6 Dated: October 23, 2018

/s/ Warren H Nelson Jr.
WARREN H. NELSON, JR. #104744
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Attorney for Plaintiff
STANDARD INSURANCE COMPANY

12 SO STIPULATED:

13 Dated: October 23, 2018

/s/ Andrew R. Verriere
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Attorneys for Defendant
VICTORIA P. GILLILAND, as Trustee of
The Gilliland Revocable Trust and as an
Individual

21 SO STIPULATED:

22 Dated: October 23, 2018

/s/ Guy D. Calladine
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Attorneys for Defendants
DAVID GILLILAND, JEFFREY
GILLILAND, MATTHEW GILLILAND,
AND LISA GILLILAND

STIP & ORDER NOTIFYING SETTLEMENT AND VACATING CASE MGMT & ADR

1 **II. ORDER**

2 The Court has considered the representations of counsel that this matter has
3 settled and that the settlement document, to wit, the Confidential Release, is now
4 being circulated in final form for execution. The Court **FINDS** there is **GOOD**
5 **CAUSE** to vacate all Fed. R. Civ. Proc. 16 Case Management and ADR events as
6 currently scheduled on the following terms:

7 1. The parties are **ORDERED** promptly to take all reasonable steps to proceed
8 with their settlement and thereafter to file, no later than four weeks from the
9 date this order is entered, their “Stipulation and Order for Deposit of Funds,
10 Payment of Deposited Funds and Discharge of Standard Insurance Company.”

11 2. The Parties, each of whom has represented through counsel that none of
12 them anticipates any impediment to settlement of this matter, are **ORDERED**
13 immediately to advise this Court should there be any later-identified
14 impediment to settlement.

15 3. If for any reason, the “Stipulation and Order for Deposit of Funds, Payment
16 of Deposited Funds and Discharge of Standard Insurance Company” is not
17 submitted four weeks from the date this order is entered, the Parties are
18 **ORDERED**, without any further notice from the Court, jointly to file a
19 statement with the Court explaining the reasons for delay, advising the current
20 status and proposing the specific steps the Court should take to ensure the
21 prompt resolution of this matter.

22 **IT IS SO ORDERED.**

23
24 Dated: October 23, 2018

25 
26 Richard Seeborg
United States District Court Judge